

Department of Financial Protection and Innovation

Position Duty Statement

DFPI HRO 203 (Rev. 07-2021)

NAME	EFFECTIVE DATE
CLASSIFICATION TITLE Financial Institutions Manager	POSITION NUMBER 410-X60-4104-XXX
WORKING TITLE Financial Institutions Manager	DIVISION/OFFICE/UNIT/SECTION CFP/Debt Collectors Licensing Unit
BARGAINING UNIT M01	GEOGRAPHIC LOCATION

General Statement: Under the general direction of the Deputy Commissioner of Debt Collectors Licensing Unit, CEA, the Financial Institutions Manager (FIM) acts as a statewide coordinator for administration, examination, and enforcement of all matters relating to the Debt Collection Licensing Act (DCLA). The FIM manages a group of examiner staff and assists in the organization, planning, and direction of statewide examination programs and assists in the general administration of the Debt Collectors Licensing Unit and makes recommendations concerning technical and policy matters.

A. Specific Assignments [Essential (E) / Marginal (M) Functions]:

- 20% Examination of licensees under the DCLA:
Plans, directs and manages all examination activities for under the DCLA. Manages the preparation of examination reports to licensees, memoranda to staff members, letters to registrants and public members on various matters relating to the regulation of the DCLA and determines when an administrative action (e.g., desist and refrain) is warranted. Makes recommendations for employee disciplinary actions to the Deputy Commissioner when warranted. Works with staff to prepare the referral memo with documentation and assists counsel during administrative hearings. Provides expert opinion in the law and assists staff to correctly interpret the law and changes to it.
- 20% Licensing of DCLA:
Plans, directs and manages all licensing activities for debt collectors under the DCLA, and provides final determination when a license will be issued under the law. Reviews and approves completed application files and unusual business plans for compliance with the DCLA. Applications that do not qualify for a license are referred to the Enforcement Division through the Deputy Commissioner for denial, and assistance is provided to counsel in legal proceedings resulting from the licensing activities. Ensures the processing of license amendments and surrender of licenses are processed within designated timeframes. Examples of amendments include, but are not limited to: address changes, name changes, and changes of ownership. Issues revocation orders on

DCLA companies that fail to pay the annual assessment and cease new business orders on companies that fail to comply with the surety bond requirements.

- 20% **Communication and Liaison:**
Responds to inquiries from industry members, staff, and the public regarding the CCFPL and DCLA programs; represents the Department at industry group meetings or conferences, including representing the commissioner through oral presentations/speeches and participating in industry panel discussions; communicates with industry members, consumer advocate groups, and other state and federal regulators, as needed. Provides information on administrative actions taken against a registrant or licensee to other governmental agencies. Ensures that public information is properly included in the Department's website.

- 10% **Expert Consultation & Guidance:**
Works with regulatory staff to provide expert guidance and direction on the special examinations of problem companies. Plans, organizes, directs, reviews and manages the regulatory examinations of DCLA companies that have or are suspected of having severe violations under either law. Manages the preparation of examination memoranda of staff members, letters to licensees or registrants and public members on various matters relating to the regulation of the DCLA. Reviews and determines when an administrative action (suspension, revocation, cease and desist) is warranted and the extent of such action for violations found during the licensing or registration, examination, or complaint process. Makes recommendations for disciplinary actions to the Deputy Commissioner, when warranted. Works with staff to prepare the referral memo with documentation and assists counsel during administrative hearings. Provides expert opinion in the law and assists staff to correctly interpret the law and changes to it. Provides recommendations to Deputy Commissioner on additional industries to subject to registration, when warranted.

- 10% **Legislation and Rule Changes:**
Reviews new or amended laws or legislation to determine impact to the program and ensures compliance with existing laws and legislation by incorporating new policy/procedures or changes in existing policies/procedures. Recommends changes to existing DCLA rules and regulations. Prepares supporting analysis and drafts language for proposal. Reviews and provides input on legislation that is proposed by the industry and other interested groups. Provides regulatory and licensing staff with legislation updates and provides input to create new examination procedures, if necessary.

- 10% **Complaints:**
Provides staff assistance in resolving complaint issues when it is unclear whether DCLA has been violated and resolves the most complex and/or politically sensitive complaints (i.e. complaints from the Legislature and/or the Governor's Office).

- 5% **Monthly Reporting/Yearly Assessments:**

Reviews and edits information and provides input for the Commissioner's monthly executive report to agency; reviews all licensing and administrative forms, letters and applications and makes revisions as necessary, before the correspondence is sent out. Determines and imposes yearly administrative assessment fees and penalties for late or non-payment of those fees. Provides expert consultation and guidance to Executive staff in the DCLA Law program areas and keeps them apprised of new and/or amended policies and procedures.

5% Perform other job-related duties as required.

B. Supervision Received

The Financial Institutions Manager reports directly to and receives the majority of assignments from the Deputy Commissioner of Debt Collector Licensing Unit, CEA; however, may receive occasional direction and/or guidance from the Senior Deputy Commissioner of Consumer Financial Protection.

C. Supervision Exercised

The position has the responsibility for the direct supervision and regulation of assigned licensees; direct reports include a small group of staff in the Senior Financial Institutions Examiner, Financial Institutions Examiner and Associate Governmental Program Analyst classifications.

D. Administrative Responsibility

Incumbent must have the ability to complete individual performance appraisals; supervise, train, and motivate staff to achieve maximum effectiveness; apply effective principles of budget preparation and control, personnel management, business management, public administration, and regulatory administration; establish and maintain cooperative working relationships with officials and staff members, public agencies, and interested community and professional groups; establish procedures and plan program activities; direct and supervise the work of technical, professional, and clerical staff. Have a working knowledge of department administrative practices and procedures.

E. Personal Contacts

The FIM has daily contact with internal DFPI staff at all levels, as well as other governmental regulatory agencies, directors, and principal officers of financial service providers, public interest groups and individuals.

F. Actions and Consequences

The consequences of not performing job duties adequately could result in public harm due to lack of regulation of the Debt Collection industry. Misinformation provided to applicants and licensees could result in complaints, confusion and loss of credibility. This position is critical to consumer protection.

G. Work Conditions/Physical/Functional Requirements

Work remotely and/or in an office setting in the Sacramento, San Francisco, Los Angeles, or San Diego area.

Frequently:

- Sitting at a desk, in a chair, and in front of a computer screen.
- Moving/walking about the office and standing or sitting during in meetings.
- Operating office equipment such as: multi-line telephone console, cell phone, computer, copy machine, fax.
- Bend (neck and waist), push, pull and twist (neck and waist).
- Perform repetitive hand motion, simple grasping, fine manipulation, pushing and pulling with right and left hands.

Occasionally:

- Reaching (above and below shoulder level).
- Traveling via private or public transportation (i.e., driving automobile, airplane, etc.). including overnight travel inside California or outside CA may be required.
- Lifting and carrying 25-50 pounds.
- Climbing stairs, kneel, and squat.

H. Other Information

The duties require incumbent to visit licensees, which requires the ability to travel.

Demonstrated leadership and program planning ability; emotional maturity and stability; objective understanding of the mission of the Department.

CONFLICT OF INTEREST

This position is subject to Title 16, section 3830 of the California Code of Regulations, the Department of Financial Protection and Innovation's Conflict of Interest Regulations. The incumbent is required to submit a Statements of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1st and within 30 days of leaving office.

FINGERPRINTING

Title 11, section 703 (d) of the California Code of Regulations requires criminal record checks of all personnel who have access to Criminal Offender Record Information (CORI). Pursuant to this requirement, applicants for this position will be required to submit fingerprints to the Department of Justice and be cleared before hiring. In accordance with DFPI's (CORI) procedures, clearance shall be

maintained while employed in a CORI-designated position. Additionally, the position routinely works with sensitive and confidential issues and/or materials and is expected to maintain the privacy and confidentiality of documents and topics pertaining to individuals or to sensitive program matters at all times.

I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Health & Safety analyst.)

Employee Signature

Date

Employee's Printed Name, Classification

I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

Supervisor Signature

Date

Supervisor's Printed Name, Classification